

From: Clifford R. Earle
To: Microsoft ATR
Date: 1/26/02 12:41am
Subject: Microsoft Settlement

Dear US Department of Justice and States Attorneys General:

I must say, after following Microsoft in the press for the last few years, and the antitrust action specifically, that the proposed settlement in this case seems to do be a poor solution. The reasons are various, ranging from the settlement's poor definition of "covered OEM"; to the too-limited 14-day protection of an OEM's desktop configuration; to the exceptions for invocation of Microsoft Middleware; to impossible conditions for membership in the Technical Committee; to the appointment of an *internal* (!) Microsoft compliance officer; to the impractical limitation of a one-time only extension of the final judgement; to a confusing and contradictory definitions of Microsoft Middleware, Platform Software, and Windows Operating System Product; to a limiting and back-looking definition of personal computer; to the lack of any language whatsoever that prevents the whole agreement from being rendered null and void if only part of it is -- all of which are avoidable or even exploitable by a company which seems to know little, if any, shame.

Please do not allow such a flawed resolution to a solid case.

Best regards,

Clifford R. Earle
Sunland, CA

(California, West Virginia, and the District of Columbia were excluded from the cc line only due to their regrettable use of on-line feedback forms rather than e-mail addresses.)

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